

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA
AUGUSTA DIVISION**

U.S. DISTRICT COURT
Southern District of Georgia
Filed in Open Court

215 P M.

02/02/2017

Deputy Clerk

UNITED STATES OF AMERICA)
)
)
v.)
)
RODNEY STEPHENS)

CR116-23

CONSENT ORDER OF FORFEITURE

WHEREAS, on March 3, 2016, a federal grand jury sitting in the Southern District of Georgia returned a nine-count Indictment against Defendant Rodney Stephens and five co-defendants charging violations of 18 U.S.C. § 1344 (Counts One through Four – Bank Fraud), 18 U.S.C. § 1349 (Count Five – Conspiracy to Commit Bank Fraud), and 18 U.S.C. § 1028A(a)(1) (Counts Six through Nine – Aggravated Identity Theft);

WHEREAS, the Indictment sought forfeiture pursuant 18 U.S.C. § 982(a)(2)(A) of any property constituting or derived from proceeds obtained, directly or indirectly, as a result of such violation(s), and all property traceable to such property, including but not limited to a sum of money representing the amount of all proceeds obtained as a result of such offense(s) charged in Counts One through Five of the Indictment, and all property traceable thereto;

WHEREAS, the Indictment further provided for the forfeiture of substitute assets pursuant to 21 U.S.C § 853(p), as incorporated by 18 U.S.C. § 982(b)(1) and 28 U.S.C. § 2461(c), of any other property of Defendant up to the value of the property subject to forfeiture;

WHEREAS, on June 1, 2016, pursuant to a written plea agreement, the Defendant pled guilty to Count Five of the Indictment charging a violation of 18 U.S.C. § 1349, Conspiracy to Commit Bank Fraud;

WHEREAS, pursuant to his plea agreement, Defendant agreed to entry of an Order of Forfeiture reflecting a money judgment in the amount of gross proceeds he received as a result of the violation to which he pled guilty, as determined by the Court at sentencing; and

WHEREAS, pursuant to his plea agreement, Defendant agreed to waive the requirements of Federal Rules of Criminal Procedure 11(b)(1)(J), 32.2, and 43(a) regarding notice of the forfeiture in the charging instrument, announcement of the forfeiture at sentencing, and incorporation of the forfeiture in the judgment without further order of the Court.

NOW, THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED THAT:


1. Pursuant to 18 U.S.C. § 982(a)(2)(A), Defendant shall forfeit to the United States the sum of \$ 2,650, which is the sum of money equal to all gross proceeds traceable to Defendant's offense of conviction.
2. This Court shall retain jurisdiction for the purpose of enforcing this Order.
3. Pursuant to Rule 32.2(b)(3) of the Federal Rules of Criminal Procedure, this Order of Forfeiture shall become final as to Defendant at the time of sentencing, be made part of the sentence, and be included in the judgment.

4. The United States may, at any time, move pursuant to Rule 32.2(e) of the Federal Rules of Criminal Procedure to amend this Order of Forfeiture to substitute property to satisfy the money judgment in whole or in part.

5. The Clerk of the Court shall forward four certified copies of this Order to Assistant U.S. Attorney Lamont A. Belk, United States Attorney's Office for the Southern District of Georgia, P.O. Box 2017, Augusta, Georgia 30903.

Date:

2/2/2017



J. RANDAL HALL, JUDGE
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA

WE ASK FOR THIS:



Lamont A. Belk
Assistant United States Attorney
Georgia Bar Number 047404
P.O. Box 2017
Augusta, Georgia 30903
(706) 724-0517

Date:

1-3-17



Rodney Stephens
Defendant

Date:

1-2-2017



Richard T. Pacheco, II, Esq.
Attorney for Defendant

Date:

1-2-2017